



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/976,294	11/21/97	WESTERLAGE	K 019743.0261
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LM01/0326

EXAMINER

COSIMANO, E

ART UNIT

PAPER NUMBER

2761

DATE MAILED:

03/26/99

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.
08/976,294

Applicant(s)
Westerlage et al

Examiner
EDWARD COSIMANO

Group Art Unit
2761



All participants (applicant, applicant's representative, PTO personnel):

(1) EDWARD COSIMANO (3) _____

(2) Representative Showalter (4) _____

Date of Interview Mar 25, 1999

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☒ was reached. ☐ was not reached.

Claim(s) discussed: 38-79

Identification of prior art discussed:

Art of record.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

See attached.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

ERC

**EDWARD COSIMANO
PRIMARY EXAMINER
ART UNIT 2761**

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.

Art Unit 2761

1. SUMMARY OF INTERVIEW

Representative Showalter argued that the claims included (1) an automated communications and reporting of position fixes and odometer readings, since the configurable condition is a repeatable condition (note page 10, line 34, to page 11, line 4: "In general ... 40."); and (2) that there is an apportionment of taxes as necessary between two consecutive position fixes, (note claim 58). Representative Showalter argued further in regard to point (1) the communications of Gooch (5,396,540) are initiated by the operator and not at a repeatable condition and in regard to point (2) the tax data of Haendel et al (5,359,528) is downloaded only once at the end of the day (note column 3, lines 31-34, "Step 207 ... information."). The examiner agreed that the combination of Gooch ('540) and Haendel et al ('528) does provide a system which would work as claimed. In view of this the examiner indicated that the outstanding rejection of claims 38-79 under 35 U.S.C. § 103 would be withdrawn upon applicant submission of a formal response including these arguments. This determination is subject to a further updated search.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Cosimano whose telephone number is (703) 305-9783. The examiner can normally be reached Monday through Thursday from 7:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Todd Voeltz, can be reached on (703)-305-9714. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

2.1 The fax phone number for UNOFFICIAL FAXES for this group is (703) 305-0040.

2.2 The fax phone number for OFFICIAL FAXES for this group is either (703) 308-9051 or (703) 308-9052.

03/25/99

Edward Cosimano
Edward R. Cosimano
Primary Examiner A.U. 2761